

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING MINUTES
APRIL 9, 2013**

Copies of the resolutions and water quality/water rights orders can be obtained by calling (916) 341-5600 or downloading from our website at http://www.waterboards.ca.gov/board_decisions/adopted_orders/.

CALL TO ORDER

Chair Felicia Marcus called the meeting to order on April 9, 2013 at 9:06 a.m. in the Coastal Hearing Room at the California Environmental Protection Agency Headquarters, 1001 I Street, 2nd Floor, Sacramento, California.

BOARD MEMBERS PRESENT

Chair Felicia Marcus; Vice Chair Frances Spivy-Weber; Member Tam M. Doduc; Member Dorene D'Adamo
Member Steven Moore

STAFF PRESENT

Tom Howard, Executive Director	Jonathan Bishop, Chief Deputy Director
Michael Lauffer, Chief Counsel	Caren Trgovcich, Chief Deputy Director
Erin Mahaney, Office of Chief Counsel	Jeanine Townsend, Clerk to the Board
Phil Wyels, Office of Chief Counsel	Kevin Graves, Division of Water Quality
Andy Sawyer, Office of Chief Counsel	Eric Oppenheimer, Office of Research, Planning & Performance
Carlos Mejia, Office of Chief Counsel	Rafael Maestu, Office of Research, Planning & Performance
Barbara Evoy, Division of Water Rights	Jim Maughan, Division of Financial Assistance
Ernie Mona, Division of Water Rights	George Kostyrko, Office of Public Information
Michael Buckman, Division of Water Rights	Diane Riddle, Division of Water Rights
Rich Satkowski, Division of Water Rights	

ANNOUNCEMENT

- *Evacuation information in case the fire alarm goes off during the meeting.*
- *The Board meeting is being webcasted and recorded.*

BOARD MEETING

Public comments on agenda items will be limited to 5 minutes or otherwise at the discretion of the Chair

PUBLIC FORUM

Any member of the public may address and ask questions of the Board relating to any matter within the State Water Board's jurisdiction provided the matter is not on the agenda, or pending before the State Water Resources Control Board or any California Regional Water Quality Control Board.

None

BOARD BUSINESS

1. The Board will consider adoption of the March 19, 2013 Board Meeting minutes.

Motion: Member Moore moved to adopt the proposed minutes.

Seconded by: Vice Chair Spivy-Weber

MOTION CARRIED: ([March 19, 2013](#))

Aye: Chair Felicia Marcus
Vice Chair Spivy-Weber
Member Doduc
Member Moore

Nay: None

Absent: None

Abstain: Member D'Adamo

2. Board Member Report.

None

UNCONTESTED ITEM* (Item 3)

- *3. Consideration of a proposed Resolution authorizing continued funding for regulatory oversight of cleanup activities at [Department of Navy](#) facilities.

Motion: Member Doduc moved to adopt the proposed Resolution.

Seconded by: Vice Chair Spivy-Weber

MOTION CARRIED: ([Resolution No. 2013-0009](#))

Aye: Chair Felicia Marcus
Vice Chair Spivy-Weber
Member Doduc
Member Moore
Member D'Adamo

Nay: None

Absent: None

Abstain: None

INFORMATIONAL ITEM

4. Next steps for [Draft Summary Report on Technical Workshops in Support of the Comprehensive \(Phase 2\) Review of the 2006 Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary](#).

❖ *Peter Goodwin and Sam Harader with the Delta Science Program along with Brock Bernstein made the [presentation](#) to the Board*

Commenters

David Guy, Northern California Water Association

Jay Ziegler, Nature Conservancy

Richard Roos-Collins, American River

Gary Bobker, The Bay Institute

Jon Rubin, San Luis Delta Mendota Water Authority

Patrick Porgans, Porgans & Associates ([Presentation](#))

Becky Sheehan, State Water Contractors

Debbie Webster, Central Valley Clean Water Association

Valerie Kincaid, San Joaquin Tributaries Authority

DIVISION OF WATER RIGHTS

5. Consideration of a proposed Order [Pertaining to a Petition for Reconsideration of WR 2012-0016: Declining to Issue a Cease and Desist Order – Middle River in San Joaquin County](#). ([Written comments](#) are due on March 27, 2013 by 12 noon.)

Motion: Vice Chair Spivy-Weber moved to adopt the proposed Order.

Seconded by: Member Doduc

MOTION CARRIED: ([Water Rights Order No. 2013-0018](#))

Aye: Chair Felicia Marcus
Vice Chair Spivy-Weber
Member Doduc
Member Moore
Member D'Adamo

Nay: None

Absent: None

Abstain: None

Commenters

*Jon Rubin, San Luis Delta Mendota Water Authority
Dean Ruiz, Harris, Perisho & Ruiz on behalf of Mark & Valla Dunkel*

INFORMATIONAL ITEMS

- 6. Progress Update from Stakeholder Coordinators on [Phase 2 of the Resource Alignment Project: Evaluating Opportunities for Reducing Costs of Cost Compliance](#).
 - ❖ *The following individuals made a presentation to the Board:*
 - ❖ *Danny Merkeley, California Farm Bureau ([Presentation](#))*
 - ❖ *Matthew Allen, Western Growers Association*
 - ❖ *Emily Rooney, Agricultural Council of California ([Presentation](#))*
 - ❖ *Robert Gore, The Gualco Group*
 - ❖ *Roberta Larson, California Association of Sanitation Agencies*

- 7. Discussion of Board Members priorities and organizational issues.

ADJOURNMENT

The Board adjourned at 4:19 p.m.

CLOSED SESSION

Closed Session is not open to the Public

DIVISION OF WATER RIGHTS

The Board will meet in closed session to deliberate on a decision to be reached pertaining to a Petition for Reconsideration of State Water Board Order WR 2012-0016 declining to issue a Cease and Desist Order against Mark and Valla Dunkel – Middle River in San Joaquin County. This closed session is authorized under Government Code section 11126, subdivision (c)(3).

The Board did not meet in Closed Session on this Item.

IMPORTANT INFORMATION!!

Unless otherwise specified, submittal of written comments must be received by 12:00 p.m. on April 2, 2013, and will not be accepted after that time.

Submittal of **electronic Powerpoint presentations** must be received by 12:00 p.m. on April 2, 2013 and will not be accepted after that time.

Submittals are to be sent via e-mail to the Clerk to the Board at commentletters@waterboards.ca.gov. Please indicate in the subject line, "**4/9/13 BOARD MEETING (fill in bolded subject from appropriate item)**." If you have questions about the agenda, contact the Clerk to the Board at (916) 341-5600.

Agenda and items will be available electronically at: http://www.waterboards.ca.gov/board_info/calendar/index.shtml

* Items on the uncontested items calendar may be removed at the request of any Board member or person. If an item is removed from the uncontested items calendar, it will only be voted on at this meeting if the Board accepts the staff recommendation for the agenda item. Otherwise, the item will be continued to a subsequent board meeting to allow input by interested persons.

Video broadcast of meetings will be available at: <http://www.calepa.ca.gov/Broadcast/>.

For a map to our building, visit: <http://www.calepa.ca.gov/EPABldg/location.htm>. For security purposes, all visitors are required to sign in and receive a badge prior to entering the building. Valid picture identification may be required due to the security level so please allow up to 15 minutes for this process. Individuals who require special accommodations are requested to contact the Office of Employee Assistance, at (916) 341-5881.